C.B. (II) No.101

JOINT COMMITTEE ON OFFICES OF PROFIT

FIRST REPORT

(SECOND LOK SABHA)

Presented on the 26th February, 1960

LOK SABHA SECRETARIAT
NEW DELHI
February, 1960

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JOINT COMMITTEE ON OFFICES OF PROFIT

Composition of the Joint Committee

Shri C. R. Pattabhi Raman—*Chairman.*

MEMBERS

Lok Sabha

2. Dr. M. S. Aney.
3. Shri Premji R. Assar.
4. Dr. K. B. Menon.
5. Shri Radheshyam Ramkumar Morarka.
6. Shri Hirendra Nath Mukerjee.
7. Shrimati Uma Nehru.
8. Shri Radha Charan Sharma.
9. Shri H. Siddananjappa.
10. Shri Satyendra Narayan Sinha.

Rajya Sabha

11. Diwan Chaman Lall.
12. Shri T. S. Avinashilingam Chettiar.
13. Shri Amolakh Chand.
14. Dr. Raj Bahadur Gour.
15. Shri Rajendra Pratap Sinha.

SECRETARIAT

Shri S. L. Shakdher, *Joint Secretary.*
Shri A. L. Rai, *Deputy Secretary.*

Report of the Joint Committee

I

INTRODUCTION

I, the Chairman of the Joint Committee on Offices of Profit, having been authorised by the Committee to present the report on their behalf present this First Report of the Committee.

2. The motion for the constitution of the Joint Committee on Offices of Profit was moved in the Lok Sabha by Shri R. M. Hajarnavis, Deputy Minister of Law, on the 3rd August, 1959 and was discussed and adopted on the same day (Annexure I).

3. The Rajya Sabha discussed and concurred in the said motion on the 31st August, 1959 (Annexure II). The message from the Rajya Sabha was read out to the Lok Sabha on the 11th September, 1959.

4. The names of the members of the Lok Sabha elected to the Joint Committee were published in Bulletin—Part III, dated the 13th August, 1959, and the names of the members of the Rajya Sabha elected to the Joint Committee were announced in the Rajya Sabha on the 7th September, 1959.

5. The terms of reference of the Committee are as follows:—

"(i) to examine the composition and character of all existing 'committees' [other than those examined by the Joint Committee to which the Parliament (Prevention of Disqualification) Bill, 1957 was referred] and all 'committees' that may hereafter be constituted, membership of which may disqualify a person, for being chosen as and for being, a member of either House of Parliament under article 102 of the Constitution;

(ii) to recommend in relation to the 'committees' examined by it what offices should disqualify and what offices should not disqualify;

(iii) to scrutinise from time to time the Schedule to the Parliament (Prevention of Disqualification) Act, 1959, and to recommend any amendments in the said Schedule, whether by way of addition, omission or otherwise;".

6. The Committee have held six sittings so far.

7. The Committee at their sittings held on the 14th December, 1959, 21st and 25th January, and 25th February, 1960, considered the following references on Offices of Profit made by Members:—

(1) Payment of travelling allowances etc., to Members of Parliament who are appointed on Committees and Commissions; and

(2) Participation of Members of Parliament in public undertakings.

8. The Committee at their sittings held on the 21st, 22nd and 25th January, 1960 also considered 69 memoranda regarding composition, functions etc., of the Committees constituted by the Central and State Governments and the emoluments and allowances paid to their Members.

9. The Committee considered and adopted the Report on the 25th February, 1960.

10. Detailed information regarding composition, functions etc., of the Committees and emoluments and allowances paid to their Members were supplied by the respective Ministries/Departments of the Central and State Governments on request made by the Lok Sabha Secretariat.

11. The Committee understand that particulars in respect of several Committees have yet to be received, from the different Ministries/Departments of the Central and State Governments and efforts to obtain them are being made.

12. Observations of the Committee on matters of special interest which have come to their notice during consideration of the references on Offices of Profit and examination of the constitution, functions etc., of Committees which require to be brought to the notice of the House, as well as the recommendations of the Committee have been included in this Report.

II

PAYMENT OF TRAVELLING ALLOWANCES ETC. TO MEMBERS OF PARLIAMENT WHO ARE APPOINTED ON COMMITTEES AND COMMISSIONS

13. Regarding payment of travelling allowance, daily allowance, conveyance allowance and house-rent allowance admissible to Members of Parliament who are appointed to committees and commissions

constituted by the Government, Office Memorandum No. 3031-E (Coord)/59, dated the 3rd October, 1959 of the Ministry of Finance (Department of Expenditure) provides as follows:—

"(1) *Daily allowance*

Existing orders on the subject may continue to apply, subject to the daily allowance being limited to a maximum of Rs. 21 a day.

(2) *Travelling allowance and conveyance allowance*

The existing orders will continue to apply save that the amounts payable under the existing orders will not be paid automatically but will be restricted to such an amount as will enable the Member of Parliament to recoup the expenditure incurred by him in the performance of his functions in connection with the Committee or Commission, etc. The Member concerned should accordingly be asked to submit a bill showing his actual expenditure and the amount payable to him will be the amount admissible under the existing orders* *or* the amount of the bill, whichever is less.

(3) *House-rent allowance*

In case any house-rent allowance is at present allowed to any Member of Parliament in connection with the work of a Committee or Commission etc., the house-rent allowance so admissible will be further restricted to the actual expenditure incurred by the Member concerned in connection with the performance of his functions relating to the Committee or Commission, etc. In this case also the Member concerned should be asked to submit a bill showing his actual expenditure before payment is authorised.

2. The existing orders relating to travel by air or by air-conditioned class by rail, in special cases, will continue to apply, save that in no case will a Member of Parliament be entitled to payments in excess of the amount of expenditure actually incurred by him on such travel in the performance of his functions relating to the Committee or Commission, etc.".

14. Dr. Sushila Nayar, M.P., in her letter, dated the 11th December, 1959, to the Committee had stated that when Members of Parliament are on tour it is difficult for them to keep accounts of all small

amounts, such as transport charges, tips etc., paid in connection with their journeys. She, therefore, suggested that the necessity of keeping and submitting of accounts of all such expenses by Members of Parliament attending meetings of Committees constituted by the Government as envisaged in the aforesaid Office Memorandum should be done away with.

15. The Committee after examination of the question feel that it is neither possible nor reasonable to expect Members of Parliament to keep accounts of all sundry expenses incurred by them on such travel and, therefore, the necessity of submitting such accounts as referred to in the above Office Memorandum should not be insisted on.

III

PARTICIPATION OF MEMBERS OF PARLIAMENT IN PUBLIC UNDERTAKINGS

16. The Parliament (Prevention of Disqualification) Act, 1959, provides that Members of Parliament appointed as Chairman (by whatever name called), director or member on any statutory or non-statutory body, shall incur disqualification if they are entitled to any sum of money other than compensatory allowance as defined in section 2(a) of the Act.

17. The Committee feel that in order to obviate the danger of Members of Parliament incurring disqualification, Government should issue instructions to all the public undertakings whether fully or partially owned by them to provide in their rules that Members of Parliament serving on them shall not be entitled to any sum of money other than compensatory allowance as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

18. As regards Members of Parliament appointed to serve on non-statutory bodies, the Committee feel that the rules relating to non-statutory bodies framed by Government should also be similarly amended to provide that Members of Parliament shall not be entitled to any sum of money other than compensatory allowance as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

IV

COMMITTEES, BOARDS ETC. APPOINTED BY CENTRAL AND STATE GOVERNMENTS

19. The recommendations of the Committee about committees, boards etc., appointed by the Central and State Governments, the composition, functions etc., of which were examined by the Committee are given in the succeeding paragraphs.

20. The Committee consider that functions of the Committees, Boards etc., mentioned in Appendix I are such that Chairmen thereof should not be exempted from disqualification and recommend that they should be included in Part I of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959.

21. The Committee feel that the functions of the Committees, Boards etc., specified in Appendix II are such that both Chairmen and Secretaries thereof should not be exempted from disqualification and recommend that they should be included in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959.

22. The Committee are of opinion that composition and functions of the Committees specified in Appendix III are such that their membership, chairmanship or secretaryship ought not to disqualify.

NEW DELHI;
The 26th February, 1960.

Chairman,
Joint Committee.

1903(C)LS—2.

APPENDIX I

Committees, Boards etc., recommended to be included in Part I of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959

(*Vide* para. 20 of the Report)

UNDER CENTRAL GOVERNMENT

1. Board of Directors, Nahan Foundry Private Ltd.
2. Indian Handicrafts Development Corporation (Private) Ltd.

UNDER STATE GOVERNMENTS

Bombay

1. Advisory Board constituted for the purposes of the Preventive Detention Act, 1950.
2. Board of Communications.

APPENDIX II

Committees, Boards etc. recommended to be included in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959

(*Vide* para. 21 of the Report)

UNDER STATE GOVERNMENTS

Andhra Pradesh

1. Handicrafts Advisory Board.
2. Regional Advisory Boards for pile carpets and Lace Goods Industries.

Bombay

1. *Ad hoc* Hindi Board.
2. State Council for Training and Vocational Trades.

Jammu and Kashmir

1. Board of Industries.
2. Forestry Committee.
3. Small Scale Industries and Handicrafts Boards.

Madhya Pradesh

Panchamarhi Development Committee.

Madras

1. Small Scale Industries and Handicrafts Board.
2. State Board of Technical Education and Training.

Mysore

1. Board of Studies for Samskrita Education.
2. Central Board of Technical Examinations, Bangalore.
3. State Board of Technical Education and Training.

Orissa

1. Board of Secondary Education.
2. State Council of Technical Education and Training.

APPENDIX III

Committees whose Membership, Chairmanship or Secretaryship ought not to disqualify.

(*Vide* para. 22 of the Report)

UNDER CENTRAL GOVERNMENT

1. *Ad hoc* Enquiry Committee on Sports.
2. Committee of experts to examine the problem of economic production and utilisation of Palana Lignite deposits.
3. Committee on Health Education and Nutrition Education.
4. Coordination Committee on Nagarjunakonda.
5. Fuel Efficiency Committee.
6. Rajkumari Sports Coaching Scheme Committee.
7. Reviewing Committee for the recognition of Hindi Examinations.
8. Women Advisory Committee.

UNDER STATE GOVERNMENTS

Andhra Pradesh

1. Andhra Pradesh Handloom Advisory Board.
2. Andhra Pradesh State Committee for the compilation of History of Freedom Struggle.
3. District Harijan Welfare Committee.

Assam

State Advisory Board to help Government in the matters relating to relief and rehabilitation.

Bombay

1. Bombay State Family Planning Board.
2. Committee for the promotion of National Discipline Scheme.

3. Committee to examine the question of education and training of Social Workers for Sarvodaya Work.
4. Family Planning Sub-Committee.
5. State Advisory Committee of the N.C.C. for the State of Bombay.
6. State Youth Welfare Board.

Madhya Pradesh

Advisory Committee for Tribal Research Institute, Chhindwara.

Madras

Madras State Co-operative Farming Board.

Mysore

1. Advisory Committee on Agricultural Implements.
2. Board for Teachers Training.
3. Board of Hindi Examinations.
4. Co-ordinating Committee for Social Service Organisation.
5. Government Law College Council.
6. Museum Advisory Committee.
7. Mysore State Advisory Committee for N.C.C.
8. Mysore State Education Advisory Board.
9. Primary Education Board.

Rajasthan

1. Central Jagir Advisory Committee.
2. District Anti-Corruption Committee.
3. District Jagir Advisory Committee.
4. Rajasthan Prohibition Advisory Committee.
5. Rajasthan Sales Tax Advisory Committee.

UNDER UNION TERRITORIES ADMINISTRATIONS

Delhi

Board of Homeopathic System of Medicine, Delhi.

Himachal Pradesh

1. Advisory Committee for the development of Khadi and Village Industries in Himachal Pradesh.
2. Committee to hold enquiries and advise the Administration in regard to the fixation of minimum rates of wages.
3. Himachal Pradesh Tourist Traffic Advisory Committee.

ANNEXURE I

(*Vide* para 2 of the Report)

Motion in the Lok Sabha for the constitution of the Joint Committee

"That a Joint Committee of the Houses to be called the Joint Committee on Offices of Profit be constituted consisting of fifteen members, ten from this House and five from Rajya Sabha, who shall be elected from amongst members of each House according to the principle of proportional representation by means of the single transferable vote;

that the function of the Joint Committee shall be—

(i) to examine the composition and character of all existing 'committees' [other than those examined by the Joint Committee to which the Parliament (Prevention of Disqualification) Bill, 1957 was referred] and all 'committees' that may hereafter be constituted, membership of which may disqualify a person for being chosen as and for being a member of either House of Parliament under article 102 of the Constitution;

(ii) to recommend in relation to the 'committees' examined by it what offices should disqualify and what offices should not disqualify;

(iii) to scrutinise from time to time the Schedule to the Parliament (Prevention of Disqualification) Act, 1959, and to recommend any amendments in the said Schedule, whether by way of addition, omission or otherwise;

that the Joint Commitee shall, from time to time, report to both Houses of Parliament in respect of all or any of the aforesaid matters;

that the members of the Joint Committee shall hold office for the duration of the present Lok Sabha;

that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Committee;

that in other respects, the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join in the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

ANNEXURE II

(*Vide* para 3 of the Report)

Motion in the Rajya Sabha

"That this House concurs in the recommendation of the Lok Sabha that a Joint Committee of the Houses to be called the Joint Committee on Offices of Profit be constituted for the purposes set out in the motion adopted by the Lok Sabha at its sitting held on the 3rd August, 1959 and communicated to this House and resolves that this House do join in the said Joint Committee and proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, five members from among themselves to serve on the said Joint Committee."

ANNEXURE III

MINUTES OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

I

First Sitting

The Committee met from 15.00 hours to 15.40 hours on Monday, the 7th December, 1959.

PRESENT

Shri C. R. Pattabhi Raman—*Chairman*

MEMBERS

Lok Sabha

2. Dr. M. S. Aney
3. Shri Radheshyam Ramkumar Morarka
4. Shrimati Uma Nehru
5. Shri Radha Charan Sharma
6. Shri H. Siddananjappa.

Rajya Sabha

7. Shri T. S. Avinashilingam Chettiar.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee had a general discussion regarding their functions.

3. It was decided that a list of all the Central Government Undertakings might be prepared and circulated to the Members.

4. As suggested by Shri T. S. Avinashilingam Chettiar, M.P., it was decided that his letter dated the 12th November, 1959, regarding holding of appointments in institutions receiving Government aid and the reply of this Secretariat thereto might be circulated to the Members.

5. The Committee decided that Ministries of the Central Government and all the State Governments should be requested to supply information regarding Committees other than those examined by the Joint Committee to which the Parliament (Prevention of Disqualification) Bill, 1957, was referred.

The Committee approved of the proforma, which was used in respect of the Joint Committee on the Parliament (Prevention of Disqualification) Bill for circulating to them information regarding composition, character etc. of the Committees.

6. The Committee desired that memoranda regarding Committees in respect of which information has been received by the Secretariat might be circulated to the Members.

7. The Committee further desired that the following documents might be circulated for their use:—

(i) The Parliament (Prevention of Disqualification) Act, 1959.

(ii) The terms of reference of the Committee.

(iii) Report of the Committee on Offices of Profit, 1954 (Bhargava Committee).

8. The Chairman announced that if Members have any matter to be brought before the Committee, they might communicate the same to the Lok Sabha Secretariat.

9. The Committee then adjourned to meet again at 15.00 hours on Monday, the 14th December, 1959.

II

Second Sitting

The Committee met from 15.00 hours to 15.35 hours on Monday, the 14th December, 1959.

PRESENT

Shri C. R. Pattabhi Raman—*Chairman*

MEMBERS

Lok Sabha

2. Dr. M. S. Aney.
3. Shri Premji R. Assar.
4. Shri Radheshyam Ramkumar Morarka
5. Shri Hirendra Nath Mukerjee
6. Shrimati Uma Nehru
7. Shri Radha Charan Sharma
8. Shri H. Siddananjappa.

Rajya Sabha

9. Diwan Chaman Lall
10. Shri T. S. Avinashilingam Chettiar
11. Shri Amolakh Chand.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee considered Dr. Sushila Nayar's letter, dated the 11th December, 1959, regarding Ministry of Finance, Office Memorandum No 3031. E. (Coord.)/59, dated the 3rd October, 1959, pertaining to payment of travelling allowances etc. to Members of Parliament who are appointed on Committees and Commissions.

It was decided that in the first instance, comments of the Ministry of Finance on the letter and their reasons for issuing the Office Memorandum might be obtained for information of the Committee.

3. The Committee then considered letter, dated the 12th November, 1959, from Shri Avinashilingam Chettiar, M.P., regarding holding of appointments in institutions receiving Government aid and the reply of Lok Sabha Secretariat, dated the 14th November, 1959, thereto.

After some discussion, the Committee postponed further consideration of the matter and directed the Secretariat to collect additional case law, if any, on the subject.

4. The Committee then adjourned to meet again at 15.00 hours on Thursday, the 21st January, 1960.

III

Third Sitting

The Committee met from 15.00 hours to 17.00 hours on Thursday, the 21st January, 1960.

PRESENT

Shri C. R. Pattabhi Raman—*Chairman.*

MEMBERS

Lok Sabha

2. Dr. M. S. Aney.
3. Shri Premji R. Assar
4. Shri Radha Charan Sharma
5. Shri H. Siddananjappa.

Rajya Sabha

6. Shri T. S. Avinashilingam Chettiar
7. Shri Amolakh Chand
8. Dr. Raj Bahadur Gour.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee further considered letter, dated the 11th December, 1959, from Dr. Sushila Nayar, M.P. regarding travelling allowance, daily allowance etc. admissible to Members of Parliament who are appointed to Committees and Commissions.

As the matter was still under correspondence with the Department of Parliamentary Affairs and the Ministry of Finance, the Committee decided to await further communication from them.

3. The Committee then took up letter, dated the 12th November, 1959, from Shri Avinashilingam Chettiar, M.P. regarding holding of appointments in institutions receiving Government aid and the reply

of the Lok Sabha Secretariat, dated the 14th November, 1959, thereto which had been partly considered by the Committee at their second sitting held on the 14th December, 1959.

In this connection, the Committee considered the following cases:—

(1) Haridas *v.* Hira Singh Pal and others. (4 E.L.R. 460);

(2) Majibar Rahman Chaudhury *v.* Abdul Barkat Ataul Gani. (4 E.L.R. 481); (teacher) and

(3) Maulana Abdul Shakur *v.* Rikhab Chand and another. (Manager).

The Committee felt that a teacher in a private school receiving Government aid did not hold an office under the Government and no further action was necessary in the matter.

4. The Committee then took up consideration of memoranda Nos. 1—17 circulated by the Secretariat regarding the composition, functions etc. of the various Committees/Boards appointed by the Central and the State Governments.

5. The Committee decided that the composition and functions of the following bodies are such that Chairmen thereof should not be exempted from disqualification and recommendation should be made for including them in Part I of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959:—

1. Board of Directors, Nahan Foundry Private Ltd. (Central Government).

2. The Indian Handicrafts Development Corporation (Private) Ltd. (Central Government).

3. The Advisory Board constituted for the purposes of the Preventive Detention Act, 1950 (Bombay).

4. Board of Communications (Bombay).

6. The Committee felt that the following bodies are such that their membership, chairmanship, or secretaryship ought not to disqualify:—

1. Fuel Efficiency Committee (Central Government).

2. Committee of experts to examine the problem of economic production and utilisation of Palana Lignite Deposits (Central Government).

3. Reviewing Committee for the recognition of Hindi Examinations (Central Government).

4. State Advisory Board to help Government in the matters relating to relief and rehabilitation (Assam).

5. Bombay State Family Planning Board (Bombay).

6. Family Planning Sub-Committee (Bombay).

7. Committee to examine the question of education and training of Social Workers for Sarvodaya Work (Bombay).

7. The Committee desired that further information might be called in respect of the following Committees:—

1. Rural Education Committee (Central Government).

2. National Committee on Women's Education (Central Government).

3. Girna Re-settlement Advisory Committee (Bombay).

4. Advisory Committee under Bombay Gas Supply Act (Bombay).

5. Provincial Sarvodaya Committee. (Bombay).

8. The Committee held over consideration of Memorandum No. 8 regarding Governing Body for the Post Graduate Training College, Jorhat.

9. The Committee then adjourned to meet again at 15·00 hours on Friday, the 22nd January, 1960.

IV

Fourth Sitting

The Committee met from 15·00 hours to 16·55 hours on Friday, the 22nd January, 1960.

PRESENT

Shri C. R. Pattabhi Raman—*Chairman.*

MEMBERS

Lok Sabha

2. Dr. M. S. Aney
3. Shri Radha Charan Sharma
4. Shri H. Siddananjappa

Rajya Sabha

5. Diwan Chaman Lall
6. Shri T. S. Avinashilingam Chettiar
7. Shri Amolakh Chand
8. Dr. Raj Bahadur Gour.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee took up consideration of Memoranda Nos. 18 to 54 circulated by the Secretariat regarding the composition, functions etc. of the various Committees/Boards appointed by the Central and State Governments.

3. The Committee felt that the composition and functions of the following Boards are such that Chairmen and Secretaries thereof should not be exempted from disqualification and recommendation should be made for including them in Part II of the Schedule:—

1. Panchmarhi Development Committee (Madhya Pradesh).
2. *Ad hoc* Hindi Board (Bombay).

3. Handicrafts Advisory Board (Andhra Pradesh).

4. Regional Advisory Boards for Pile Carpets and Lace Goods Industries (Andhra Pradesh).

5. Board of Studies for Sanskrita Education and Examination (Mysore).

6. Central Board of Technical Examinations, Bangalore (Mysore).

7. State Council of Technical Education and Training (Orissa).

8. Board of Secondary Education (Orissa).

9. State Council for Training and Vocational Trades (Bombay).

10. State Board of Technical Education and Training (Mysore).

4. The Committee felt that the following bodies are such that their membership, chairmanship or secretaryship ought not to disqualify:—

1. Advisory Committee for Tribal Research Institute, Chhindwara (Madhya Pradesh).

2. District Anti-Corruption Committee (Rajasthan).

3. Women Advisory Committee (Central Government).

4. Board of Homoeopathic System of Medicine, Delhi (Delhi Administration).

5. Central Jagir Advisory Committee (Rajasthan).

6. District Jagir Advisory Committee (Constituted in four districts) (Rajasthan).

7. *Ad hoc* Enquiry Committee on Sports (Central Government).

8. Rajkumari Sports Coaching Scheme Committee (Central Government).

9. Committee on Health Education and Nutrition Education (Central Government).

10. Rajasthan Prohibition Advisory Committee (Rajasthan).

11. Rajasthan Sales Tax Advisory Committee (Rajasthan).

12. Committee for the Promotion of National Discipline Scheme (Bombay).

13. State Youth Welfare Board (Bombay).

14. The State Advisory Committee of the N.C.C. for the State of Bombay (Bombay).

15. Andhra Pradesh Handloom Advisory Board (Andhra Pradesh).

16. District Harijan Welfare Committee (Andhra Pradesh).

17. The Andhra Pradesh State Committee for the Compilation of History of Freedom Struggle (Andhra Pradesh).

18. Government Law College Council (Mysore).

19. Board of Hindi Examinations (Mysore).

20. Mysore State Education Advisory Board (Mysore).

21. Co-ordinating Committee for Social Service Organisation (Mysore).

22. Mysore State Advisory Committee for N.C.C (Mysore).

23. Museum Advisory Committee (Mysore).

24. Board for Teachers Training (Mysore).

25. Primary Education Board (Mysore).

26. Advisory Committee on Agricultural Implements (Mysore).

5. The Committee held over consideration of Memorandum No. 30 regarding Bombay Khar Lands Development Board (Bombay).

6. The Committee then adjourned to meet again at 12·00 hours on Monday, the 25th January, 1960.

V

Fifth Sitting

The Committee met from 12·00 hours to 13·00 hours on Monday, the 25th January, 1960.

PRESENT

Shri C. R. Pattabhi Raman—*Chairman.*

MEMBERS

Lok Sabha

2. Shri Radha Charan Sharma.
3. Shri H. Siddananjappa.
4. Shri Satyendra Narayan Sinha.

Rajya Sabha

5. Diwan Chaman Lall
6. Shri T. S. Avinashilingam Chettiar
7. Shri Amolakh Chand
8. Dr. Raj Bahadur Gour.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee considered the question of participation of Members of Parliament on public undertakings and decided to make the following recommendation:—

"The formulation of plans for economic development and the adoption of Industrial Policy Resolutions in 1948 and 1956 have resulted in considerable expansion of public sector in India. In recent years, a large number of corporations and companies have come into existence involving large capital investment by Government. The corporations or companies are for the most part free from direct Parliamentary control and once moneys required to finance

these corporate bodies are appropriated from the consolidated fund Parliament does not have adequate control over them.

2. The Committee having considered the question of participation of Members of Parliament on these corporate bodies feel that Members should be encouraged to serve on these bodies for the following reasons:—

1. Members of Parliament by virtue of their membership are in a position to speak with authority and confidence and their views are likely to go a long way in influencing the view point of officials and others on such bodies.

2. Members of Parliament being representatives of the people can bring to such bodies the popular point of view.

3. Some of the Members of Parliament are also eminent in the domain of knowledge and their sphere of activities and can very well be treated as experts on a number of subjects.

3. The Parliament (Prevention of Disqualification) Act, 1959, however, provides that Members of Parliament appointed on such bodies should not be entitled to any remuneration other than compensatory allowance as defined in Section 2(a) of the Act.

4. The Committee, therefore, feel that in order to obviate the danger of such Members incurring disqualification, Government should issue instructions to all the public undertakings whether fully or partially owned by them to provide in their rules that Members of Parliament serving on them shall not be entitled to any sum of money other than compensatory allowance as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

3. The Committee also felt that they should further recommend to the Government that rules relating to non-statutory bodies framed by Government should be amended wherever necessary to provide that Members of Parliament shall not be entitled to any remuneration other than compensatory allowance as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

4. The Committee then took up consideration of memoranda Nos. 58—69 circulated by the Secretariat regarding the composition,

functions, etc. of the various Committees appointed by the Central and the State Governments.

5. The Committee decided that the composition and functions of the following Committees are such that Chairmen and Secretaries thereof should not be exempted from disqualification and recommendation should be made for including them in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959:—

1. Small Scale Industries and Handicrafts Board (Madras).
2. State Board of Technical Education and Training (Madras).
3. Forestry Committee (J & K).
4. Small Scale Industries and Handicrafts Board (J & K).
5. Board of Industries (J & K).

6. The Committee felt that the following bodies are such that their membership, chairmanship or secretaryship ought not to disqualify:—

1. Madras State Co-operative Farming Board (Madras).
2. Co-ordination Committee on Nagarjunakonda (Central Government).
3. Advisory Committee for the development of Khadi and Village Industries in Himachal Pradesh (Himachal Pradesh).
4. Committee to hold enquiries and advise the Administration in regard to the fixation of minimum rates of Wages (Himachal Pradesh).
5. Himachal Pradesh Tourist Traffic Advisory Committee (Himachal Pradesh).

7. The Committee felt that if the Committee for reorganisation of Grants in aid rules (Madras) (Memorandum No. 57) exists it may be placed in Part II of the Schedule to the Act.

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8. The Committee then adjourned.

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*Omitted portions are not covered by this Report.

VI

Sixth Sitting

The Committee met from 15.00 hours to 16.25 hours on Thursday, the 25th February, 1960.

PRESENT

Shri C. R. Pattabhi Raman—*Chairman.*

MEMBERS

Lok Sabha

2. Shri Premji R. Assar
3. Shri Radheshyam Ramkumar Morarka
4. Shri Hirendra Nath Mukerjee
5. Shrimati Uma Nehru
6. Shri Radha Charan Sharma
7. Shri Satyendra Narayan Sinha.

Rajya Sabha

8. Shri Amolakh Chand
9. Dr. Raj Bahadur Gour.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee further considered letter, dated the 11th December, 1959 from Dr. Sushila Nayar, M.P. regarding travelling allowance, daily allowance, etc. admissible to Members of Parliament who are appointed on Committees and Commissions.

The Committee felt that the requirement of keeping accounts of all sundry expenses incurred by Members on journeys performed by them for the purpose of attending sittings of Committees as envisaged in the Finance Ministry's Office Memorandum should not be insisted on.

3. The Committee then considered the draft Report and adopted the same with certain changes.

4. The Committee decided that the Report might be presented to the Lok Sabha on the 26th February, 1960 and laid on the Table of the Rajya Sabha on the same day.

5. The Committee authorised the Chairman and in his absence, Shri Radheshyam Ramkumar Morarka, to present the Report on their behalf.

6. The Committee authorised Dr. Raj Bahadur Gour and in his absence, Shri Amolakh Chand, to lay the Report of the Committee on the Table of the Rajya Sabha.

7. The Committee discussed the question whether all statutory corporations and public companies which are not included in the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 should be inserted therein.

The Committee decided to take up this question when constitution and functions of all such corporations and bodies were available.

8. The Committee then adjourned to meet again at 15.00 hours on Friday, the 25th March, 1960.

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